

REMARKS

This Amendment, submitted in reply to the Office Action dated October 19, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 3-5 have been withdrawn. Claim 11 has been added. Claims 1-2 and 6-11 are all the claims pending in the application.

Claim Objections

The Examiner objected to claims 2 and 10 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant respectfully submits that the rewriting of claims 2 and 10 is unnecessary based upon the discussion below.

Claim Rejections

Claims 1 and 6-8 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,718,088 to Okazaki. Moreover, claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okazaki.

As an initial matter, Applicant notes that U.S. Patent No. 6,718,088 (“the ‘088 patent”) to Okazaki issued from U.S. Patent Application Publication No. 2002/0090172 to Okazaki (“the ‘172 publication”) which was disclosed to the Examiner in an information disclosure statement filed with the application on September 26, 2003 and which is discussed in the background section of the current specification at pages 2-3. As discussed at pages 2-3, the invention disclosed in the ‘172 application has a drawback in that the light-emission end faces and optical

elements can be contaminated with contaminants remaining in a sealed container, resulting in the deterioration of laser characteristics.

Turning now to the substance of the rejection, claim 1 recites the limitation of a protection member which is arranged at the light-emission end of the multimode optical fiber, protects the light-emission end from an atmosphere, and has a light-emission window located at at least a predetermined distance from the light-emission end. The Examiner asserts that this limitation is taught by the box-shaped housing package 40 of the '088 patent.

Applicant directs the Examiner to Fig. 3 of the '088 patent, where the squiggle line on the right-most side of the figure illustrates that the fiber keeps going. In other words, the light-emission end of optical fiber 30 is not shown in Fig. 3. Thus, since the light-emission end of the fiber is not shown, it is impossible for the housing 40 to protect the light-emission end of the fiber, as required by claim 1. Moreover, Fig. 8 of the '088 patent teaches the light-emission end of the fiber as being opposite to the end where the housing 40 is disposed. Thus, for at least these reasons, claim 1 is patentable over the '088 patent.

Claim 9 depends from claim 1, and is therefore patentable based on its dependency. The remaining claims are patentable based on their dependency.

Applicant therefore respectfully requests the Examiner to withdraw the rejections.

New claims

Applicant has added new dependent claim 11 to more fully claim features of the invention.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln 10/670,473

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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Date: February 17, 2006